IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2684 OF 2007

Kishore P.Shah. ..Petitioner.

Vs.

Union of India and ors. ..Respondents.

Mr.J.J. Bhat, Sr. Counsel with Mr. V.R.Dhond, Mr.A. Kamat i/by Crawford Bayley & Company for the Petitioner.

Mr.Y.S.Bhat with Mr.R.A. Rodrigues and Mr. Chaturvedi for the respondents 1 to 3.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 20TH DECEMBER,2007.

PC :

1. Rule.

2. Heard forthwith.

3. After hearing the parties and considering the reliefs prayed the only limited relief that can be considered is in the matter of the order dated 4.12.2007 to the extent of the demand made. That order stands modified as under.

a. The petitioner will deposit 20% duty based on provisional assessment which approximately works out in the sum of Rs.7.2/-lacs and they will furnish a bond for the balance amount of the provisional assessment.

b. On such compliance the goods be released

provisionally.

c. The respondents are at liberty, if advised, to take steps to issue fresh show cause notice in terms of the Act and Rules.

4. Rule made absolute accordingly.

5. No order as to costs.

(R.S. MOHITE, J.) **(F.I.REBELLO, J.)**